IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO : 5078 of 1995

Between:

Syed Mahboob Bee W/o. M.A. Raheem
R/o. Hill Colony, Nagarjunasagar, Nalgonda Dist.

..... PETITIONER

AND

1 The Revenue Divisional Officer
Markapur, Prakasam District.
2 The Mandal Revenue Officer
Marakpur, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction particularly in the nature of Mandamus or any other appropriate writ directing the respondents herein to award and pay the additional amount @ 12 percent and interest on the amount of compensation from the date of taking possession i.e, 12-8-79 to the date of passing award stipulated under Section 23 (1) (A) and Section 28 of the L.A.Act, 1894 and pass

Counsel for the Petitioner:MR.AVULA VENKATESWARLU (ADD.CGSC)

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following ORDER:

An award was passed on 30.01.1991. The grievance of the petitioner is that in terms of Section 23(1)(A) of the Land Acquisition Act, 1894 (for short 'the Act') he was entitled to certain benefits, which were not given to him. He also stated that interest was not paid to him to which he was entitled to under Section 28 of the Act.

It is well settled that the Land Acquisition Act is a self-contained Act and provides remedies for all eventualities. Basically, the petitioner was aggrieved of the compensation amount and the only remedy open to him was to file an application under Section 18 of the Act for making a reference so that the matter could have been referred by the Land Acquisition Officer to the civil Court. It will not be possible for this Court, in exercise of its writ jurisdiction, to decide the controversies arising out of the Award passed under the Act. Therefore, I do not think there is any merit in this writ petition.

The writ petition is accordingly dismissed. However, if the petitioner still has any remedies available, he is at liberty to seek them if permissible in law. No order as to costs.

04.11.2004

ksld

To

1 The Revenue Divisional Officer
Markapur, Prakasam District.
2 The Mandal Revenue Officer
Marakpur, Prakasam District.

3 Two CCs. to the GP for Social Welfare, High Court of A.P.(OUT)

4 Two CD copies.